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No. of Pages (including this): 4

Subject: U.S. Patent Application No. 09/593,591
Gary K. Michelson, M.D.

Date: August 9, 2004

Filed: June 13, 2000
MANUFACTURED MAJOR LONG BONE RING
IMPLANT SHAPED TO CONFORM TO A
PREPARED INTERVERTEBRAL
IMPLANTATION SPACE

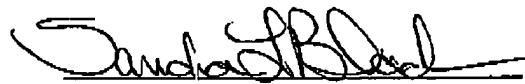
Confirmation Copy to Follow:
YES—Confirmation Copy of
Information Disclosure Statement and
Form PTO-1449 with copies of 2
references

Attorney Docket No. 101.0078-00000
Customer No. 22882
Confirmation No.: 5619

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO-1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on August 9, 2004.



Sandra L. Blackmon

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PATENT
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Customer No. 22882

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In re Application of: Confirmation No : 5619
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CONFORM TO A PREPARED)
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'SPACE)

AUG 09 2004

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Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of a Request for Continued Examination (RCE) for the above-referenced application.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: August 9, 2004

By: 

Thomas H. Martin
Registration No. 34,383

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